

EXHIBIT A

04/25/2017 18:14 6012612481

MCHUGH FULLER

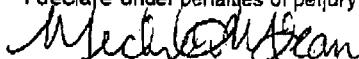
PAGE 03/10

AFFIDAVIT OF SERVICE**CIRCUIT COURT OF CABELL COUNTY, WEST VIRGINIA****Case #: 17-C-175****Jean Eddy, on Behalf of the Estate of Paul Eddy****vs.****Plaintiff****Canyon Sudar Partners LLC, et al****Defendant**

The undersigned, being first duly sworn, on oath deposes and says: That s/he is now and at all the times herein mentioned was a citizen of the United States, over the age of 18, not a party to nor interested in the above entitled action, is competent to be witness therein, and that I served copies of the:

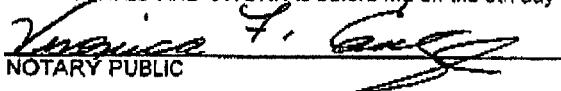
Summons & Complaint**PARTY SERVED: SVCARE HOLDINGS, LLC C/O THE CORPORATION TRUST COMPANY****PERSON SERVED: AMY MCLAREN, CORPORATE OPERATIONS MANAGER****METHOD OF SERVICE: Corporate - By leaving copies with the person identified above who stated they were authorized to accept service,****DATE & TIME OF DELIVERY: 04/05/2017 at 9:51 AM****ADDRESS, CITY AND STATE: 1209 ORANGE ST, WILMINGTON, DE 19801****DESCRIPTION: White, Female, 40, 5'6", 140 lbs, Brown hair**

I declare under penalties of perjury that the information contained herein is true and correct.

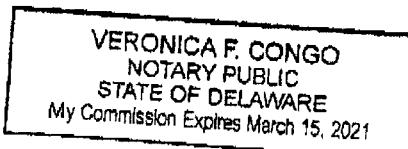


Michelle L. McLean
 Keith Investigations, LLC d/b/a Quantum Process
 418 Pittman Road
 Ellisville, MS 39437
 (601) 752-3508

SUBSCRIBED AND SWORN to before me on the 6th day of April, 2017.



NOTARY PUBLIC



1

CLIENT: Keith Investigations, LLC d/b/a Quantum Process
 FILE #: 62926
 VERONICA F. CONGO
 My Commission Expires March 15, 2021

Tracking #: 347131



04/25/2017 18:14 6012612481

MCHUGH FULLER

PAGE 04/10

AFFIDAVIT OF SERVICE

CIRCUIT COURT OF CABELL COUNTY, WEST VIRGINIA

Case #: 17-C-175

Jean Eddy, on Behalf of the Estate of Paul Eddy

Plaintiff

vs.

Canyon Sudar Partners LLC, et al

Defendant

The undersigned, being first duly sworn, on oath deposes and says: That s/he is now and at all the times herein mentioned was a citizen of the United States, over the age of 18, not a party to nor interested in the above entitled action, is competent to be witness therein, and that I served copies of the:

Summons & Complaint

PARTY SERVED: SSC EQUITY HOLDINGS, LLC C/O THE CORPORATION TRUST COMPANY

PERSON SERVED: AMY MCLAREN, CORPORATE OPERATIONS MANAGER

METHOD OF SERVICE: Corporate - By leaving copies with the person identified above who stated they were authorized to accept service.

DATE & TIME OF DELIVERY: 04/05/2017 at 9:51 AM

ADDRESS, CITY AND STATE: 1209 ORANGE ST, WILMINGTON, DE 19801

DESCRIPTION: White, Female, 40, 5'6", 140 lbs, Brown hair

I declare under penalties of perjury that the information contained herein is true and correct.

Michelle L. McLean

Michelle L. McLean
Keith Investigations, LLC d/b/a Quantum Process
418 Pittman Road
Ellisville, MS 39437
(601) 752-3508

SUBSCRIBED AND SWORN to before me on the 6th day of April, 2017.

Veronica F. Congo
NOTARY PUBLIC

VERONICA F. CONGO
NOTARY PUBLIC
STATE OF DELAWARE
My Commission Expires March 15, 2021



CLIENT: Keith Investigations, LLC d/b/a Quantum Process
FILE #: 62921

Tracking #: 347134

Printed on 04/25/2017 at 18:14
File # 62921

04/25/2017 18:14 6012612481

MCHUGH FULLER

PAGE 05/10

AFFIDAVIT OF SERVICE

CIRCUIT COURT OF CABELL COUNTY, WEST VIRGINIA

Case #: 17-C-175

Jean Eddy, on Behalf of the Estate of Paul Eddy

vs.

Plaintiff

Canyon Sudar Partners LLC, et al

Defendant

The undersigned, being first duly sworn, on oath deposes and says: That s/he is now and at all the times herein mentioned was a citizen of the United States, over the age of 18, not a party to nor interested in the above entitled action, is competent to be witness therein, and that I served copies of the:

Summons & Complaint

PARTY SERVED: SAVA SENIOR CARE, LLC C/O THE CORPORATION TRUST COMPANY

PERSON SERVED: AMY MCLAREN, CORPORATE OPERATIONS MANAGER

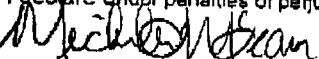
METHOD OF SERVICE: Corporate - By leaving copies with the person identified above who stated they were authorized to accept service.

DATE & TIME OF DELIVERY: 04/05/2017 at 9:51 AM

ADDRESS, CITY AND STATE: 1209 ORANGE ST, WILMINGTON, DE 19801

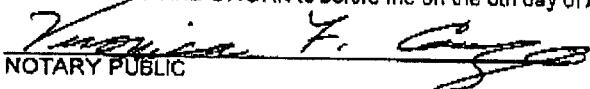
DESCRIPTION: White, Female, 40, 5'6", 140 lbs, Brown hair

I declare under penalties of perjury that the information contained herein is true and correct.

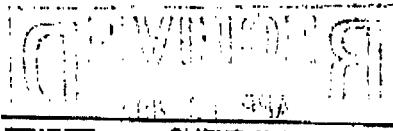


Michelle L. McLean
Keith Investigations, LLC d/b/a Quantum Process
418 Pittman Road
Ellisville, MS 39437
(601) 752-3508

SUBSCRIBED AND SWORN to before me on the 6th day of April, 2017.


NOTARY PUBLIC

VERONICA F. CONGO NOTARY PUBLIC STATE OF DELAWARE My Commission Expires March 15, 2021



CLIENT: Keith Investigations, LLC d/b/a Quantum Process
FILE #: 62920

Tracking #: 347133

04/25/2017 18:14 5012612481

MCHUGH FULLER

PAGE 06/10

AFFIDAVIT OF SERVICE

CIRCUIT COURT OF CABELL COUNTY, WEST VIRGINIA

Case #: 17-C-176

Jean Eddy, on Behalf of the Estate of Paul Eddy

vs.

Plaintiff

Canyon Sudar Partners LLC, et al

Defendant

The undersigned, being first duly sworn, on oath deposes and says: That s/he is now and at all the times herein mentioned was a citizen of the United States, over the age of 18, not a party to nor interested in the above entitled action, is competent to be witness therein, and that I served copies of the:

Summons & Complaint

PARTY SERVED: CANYON SUDAR PARTNERS, LLC C/O THE CORPORATION TRUST COMPANY

PERSON SERVED: AMY MCLAREN, CORPORATE OPERATIONS MANAGER

METHOD OF SERVICE: Corporate - By leaving copies with the person identified above who stated they were authorized to accept service.

DATE & TIME OF DELIVERY: 04/05/2017 at 9:51 AM

ADDRESS, CITY AND STATE: 1209 ORANGE ST, WILMINGTON, DE 19801

DESCRIPTION: White, Female, 40, 5'6", 140 lbs, Brown hair

I declare under penalties of perjury that the information contained herein is true and correct.

Michelle L. McLean

Michelle L. McLean
Keith Investigations, LLC d/b/a Quantum Process
418 Pittman Road
Ellisville, MS 39437
(601) 752-3508

SUBSCRIBED AND SWORN to before me on the 6th day of April, 2017.

Veronica F. Congo
NOTARY PUBLIC

VERONICA F. CONGO
NOTARY PUBLIC
STATE OF DELAWARE
My Commission Expires March 15, 2021



CLIENT: Keith Investigations, LLC d/b/a Quantum Process
FILE #: 62918

Tracking #: 347132

Printed from
www.QPnow.com

AFFIDAVIT OF PROCESS SERVER
CIRCUIT COURT OF CABELL COUNTY, WEST VIRGINIA

Plaintiff

Jean Eddy, on Behalf of the Estate of Paul Eddy

vs.

Defendant

Canyon Sudar Partners, LLC et al

Case No: 17-C-175

I STEPHEN MORRISON being duly sworn, depose and say, I have been duly authorized to make service of the document(s) listed herein in the above styled case. I am over the age of 18, and am not a party to or otherwise interested in this matter.

Date/Time Received: 3/23/2017

Document(s): Summons, Complaint, Plaintiff's First Interrogatories, Plaintiff's First Request for Production, Plaintiff's Resident Contact Request for Admissions

Serve To: Annica Stansberry, NHA

Address: 388 Bison Bluff, Hurricane, WV 25526

Date Served: 4/1/17 Time Served: 9:30AM AM/PM or Date NON Served _____ Time _____

Person Served: DAVID STANSBERRY Title/Relationship to Defendant: HUSBAND

Address where served or attempted service: 388 BISON BLUFF, HURRICANE, WV 25526

Military Status: N/A Not in Military Active Duty Military

After exercising reasonable diligence, I was unable to deliver copies to said person within PUTNAM county, MS. I served the documents listed above on the 1 day of APRIL 2017, at the usual place of abode of said person by leaving a true copy of the documents listed above with DAVID STANSBERRY, who is the HUSBAND (insert family relationship), a member of the family who is above the age of sixteen years old who was willing to receive service. And thereafter on the N/A day of N/A, N/A, copies of the documents listed above were mailed (by first class postage prepaid) to the person served at his/her place of abode where copies were left.

04/25/2017 18:14 6012612481

MCHUGH FULLER

PAGE 08/10

AFFIDAVIT OF PROCESS SERVER
For Case No.: 17-C-175

Personally appeared before me the undersigned authority in and for the jurisdiction aforesaid the within named
Stephan Morris who, being first by me duly sworn, states on oath that the matters and facts set forth in
the foregoing instrument are true and correct as therein stated.

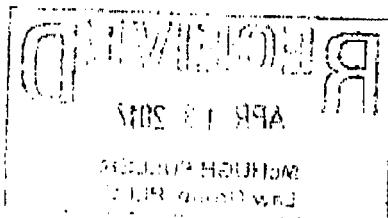
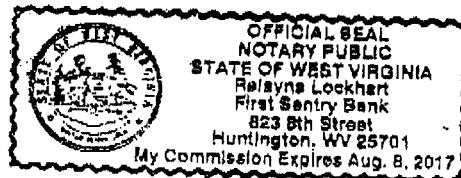
Stephan Morris
Signature of Server

Quantum Process
418 Pittman Road
Ellisville, MS 39437
(601) 752-3503

State of West Virginia
County of Cabell

Subscribed and sworn to before me, a notary public, on April 7, 2017
Rebecca Lockhart
Notary Public
My Commission Expires: Aug. 8, 2017

ID: 62925
Client Reference: Eddy (WV)



04/25/2017 18:14 6012612481

MCHUGH FULLER

PAGE 09/10

AFFIDAVIT OF PROCESS SERVER
CIRCUIT COURT OF CABELL COUNTY, WEST VIRGINIA

Plaintiff

Jean Eddy, on Behalf of the Estate of Paul Eddy

vs.

Case No: 17-C-175

Defendant

Canyon Sudar Partners, LLC et al

I Robert J. MacDonald being duly sworn, depose and say, I have been duly authorized to make service of the document(s) listed herein in the above styled case. I am over the age of 18, and am not a party to or otherwise interested in this matter.

Date/Time Received: 3/23/2017

Document(s): Summons, Complaint, Plaintiff's First Interrogatories, Plaintiff's First Request for Production, Plaintiff's Resident Contact Request for Admissions

Serve To: Seventeenth Street Association, LLC c/o CT Corporation System

Address: 5400 D Big Tyler Rd., Charleston, WV 25313

Date Served: 3/27/17 Time Served: 1:15 AM/PM or Date NON Served _____ Time _____

Person Served: DIANNA STAMPER Title/Relationship to Defendant: Registered Agent

Address where served or attempted service: 5400-D Big Tyler Rd., Charleston, WV 25313

Military Status: N/A [] Not in Military [] Active Duty Military

After exercising reasonable diligence, I was unable to deliver copies to said person within _____ county, MS. I served the documents listed above on the _____ day of _____, _____, at the usual place of abode of said person by leaving a true copy of the documents listed above with _____, who is the _____ (insert family relationship), a member of the family who is above the age of sixteen years old who was willing to receive service. And thereafter on the _____ day of _____, copies of the documents listed above were mailed (by first class postage prepaid) to the person served at his/her place of abode where copies were left.

04/25/2017 18:14 6012612481

MCHUGH FULLER

PAGE 10/10

AFFIDAVIT OF PROCESS SERVER
For Case No.: 17-C-175

Personally appeared before me the undersigned authority in and for the jurisdiction aforesaid the within named
Robert J. McDonald who, being first by me duly sworn, states on oath that the matters and facts set forth in the foregoing instrument are true and correct as therein stated.

Robert J. McDonald

Signature of Server

Quantum Process
418 Pittman Road
Ellisville, MS 39437
(601) 752-3503

State of WV

County of Barawna

Subscribed and sworn to before me, a notary public, on 3/27/17

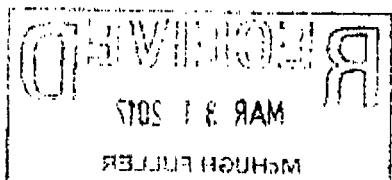
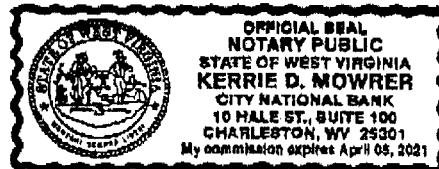
Kerrie D. Mowrer

Notary Public

My Commission Expires: 4/15/21

ID: 62924

Client Reference: Eddy (WV)





TO: Melita Hobby, Administrative Assistant
SavaSeniorCare, LLC
1 Ravinia Dr Ste 1500
Atlanta, GA 30346-2115

RE: **Process Served in Delaware**
FOR: SavaSeniorCare, LLC (Domestic State: DE)

**Service of Process
Transmittal**
04/05/2017
CT Log Number 530998607

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Jean Eddy, on Behalf of the Estate of Paul Eddy, Pltf. vs. Canyon Sudar Partners LLC, et al., Dfts. // To: Sava Senior Care, LLC
Name discrepancy noted.

DOCUMENT(S) SERVED: Summons, Complaint, Notice, First Interrogatories, Interrogatories, First Request, Request

COURT/AGENCY: Cabell County Circuit Court, WV
Case # 17C175

NATURE OF ACTION: Medical Injury - Improper Care and Treatment - December 11, 2016

ON WHOM PROCESS WAS SERVED: The Corporation Trust Company, Wilmington, DE

DATE AND HOUR OF SERVICE: By Process Server on 04/05/2017 at 09:51

JURISDICTION SERVED : Delaware

APPEARANCE OR ANSWER DUE: Within 30 days after service, exclusive of the day of service

ATTORNEY(S) / SENDER(S): Michael J. Fuller
McHugh Fuller Law Group
97 Elias Whiddon Road
Hattiesburg, MS 39402

ACTION ITEMS: CT has retained the current log, Retain Date: 04/05/2017, Expected Purge Date: 04/10/2017

Image SOP

Email Notification, Wynn Sims wgsims@savasc.com

Email Notification, Melita Hobby mlhobby@savasc.com

SIGNED:
ADDRESS: The Corporation Trust Company
1209 N Orange St
Wilmington, DE 19801-1120

TELEPHONE: 302-658-7581

IN THE CIRCUIT COURT OF CABELL COUNTY, WEST VIRGINIA

Jean Eddy, on Behalf of the
Estate of Paul Eddy

PLAINTIFF

vs.

Canyon Sudar Partners LLC; SVCare
Holdings LLC; Sava Senior Care LLC;
SSC Equity Holdings LLC; SMV Management
Company LLC; SMV Huntington, LLC;
Seventeenth Street Associates, LLC;
Annica Stansberry; John Does 1 Through 10;
and Unidentified Entities 1 Through 10
(as to Huntington Health & Rehabilitation)

CAUSE NO. 17-C-175
Jury Demanded

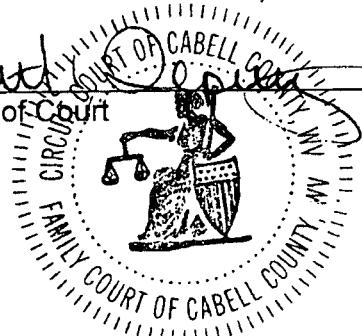
/s/PAUL T. FARRELL

DEFENDANTS

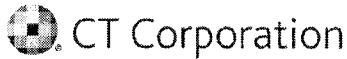
To: Sava Senior Care, LLC
c/o The Corporation Trust Company
1209 Orange Street
Wilmington, DE 19801
302-658-1581

IN THE NAME OF THE STATE OF WEST VIRGINIA, you are hereby summoned
and required to serve upon Michael J. Fuller, plaintiff's attorney, whose address is
McHugh Fuller Law Group, 97 Elias Whiddon Road, Hattiesburg, MS 39402, an
answer, including any related counterclaim you may have, to the complaint filed against
you in the above-styled civil action, a true copy of which is herewith delivered to you.
You are required to serve you answer with in thirty (30) days after service of this
summons upon you, exclusive of the day of service. If you fail to do so, judgment by
default will be taken against you for the relief demanded in the complaint and you will be
thereafter barred from asserting in another action any claim you may have which must
be asserted by counterclaim in the above-styled civil action.

/s/ JEFFREY E. HOOD



Dated MAR 17 2017



TO: Melita Hobby, Administrative Assistant
SavaSeniorCare, LLC
1 Ravinia Dr Ste 1500
Atlanta, GA 30346-2115

RE: Process Served in Delaware

FOR: SSC Equity Holdings, LLC (Domestic State: DE)

**Service of Process
Transmittal**

04/05/2017
CT Log Number 530997078

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Jean Eddy, on Behalf of the Estate of Paul Eddy, Pltf. vs. Canyon Sudar Partners LLC, et al., Dfts. // To: SSC Equity Holdings, LLC

DOCUMENT(S) SERVED: Summons, Attachment(s), Complaint, Notice, First Interrogatories, First Request(s)

COURT/AGENCY: CABELL COUNTY - CIRCUIT COURT, WV
Case # 17C175

NATURE OF ACTION: Medical Injury - Improper Care and Treatment

ON WHOM PROCESS WAS SERVED: The Corporation Trust Company, Wilmington, DE

DATE AND HOUR OF SERVICE: By Process Server on 04/05/2017 at 09:51

JURISDICTION SERVED : Delaware

APPEARANCE OR ANSWER DUE: Within 30 days after service of this summons upon you, exclusive of the day of service

ATTORNEY(S) / SENDER(S): James B McHugh
McHugh Fuller Law Group PLLC
97 Elias Whiddon Rd
Hattiesburg, MS 39402

ACTION ITEMS: CT has retained the current log, Retain Date: 04/05/2017, Expected Purge Date: 04/10/2017

Image SOP

Email Notification, Wynn Sims wgsims@SavaSC.com

Email Notification, Melita Hobby mlhobby@savasc.com

SIGNED:
ADDRESS: The Corporation Trust Company
1209 N Orange St
Wilmington, DE 19801-1120

TELEPHONE: 302-658-7581

IN THE CIRCUIT COURT OF CABELL COUNTY, WEST VIRGINIA

Jean Eddy, on Behalf of the
Estate of Paul Eddy

PLAINTIFF

vs.

CAUSE NO. 17-C-175
Jury Demanded

Canyon Sudar Partners LLC; SVCare
Holdings LLC; Sava Senior Care LLC;
SSC Equity Holdings LLC; SMV Management
Company LLC; SMV Huntington, LLC;
Seventeenth Street Associates, LLC;
Annica Stansberry; John Does 1 Through 10;
and Unidentified Entities 1 Through 10
(as to Huntington Health & Rehabilitation)

/s/PAUL T. FARRELL

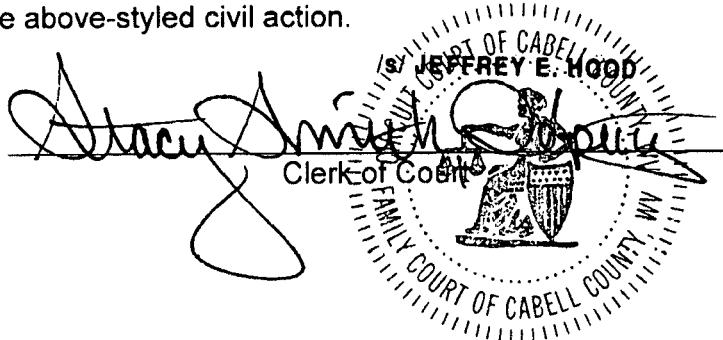
DEFENDANTS

To: **SSC Equity Holdings, LLC**
c/o The Corporation Trust Company
1209 Orange Street
Wilmington, DE 19801
302-658-1581

IN THE NAME OF THE STATE OF WEST VIRGINIA, you are hereby summoned
and required to serve upon Michael J. Fuller, plaintiff's attorney, whose address is
McHugh Fuller Law Group, 97 Elias Whiddon Road, Hattiesburg, MS 39402, an
answer, including any related counterclaim you may have, to the complaint filed against
you in the above-styled civil action, a true copy of which is herewith delivered to you.
You are required to serve you answer with in thirty (30) days after service of this
summons upon you, exclusive of the day of service. If you fail to do so, judgment by
default will be taken against you for the relief demanded in the complaint and you will be
thereafter barred from asserting in another action any claim you may have which must
be asserted by counterclaim in the above-styled civil action.

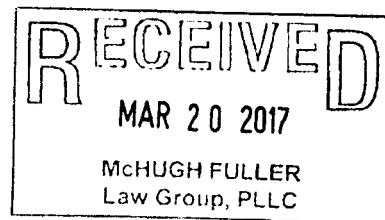
Dated _____

MAR 17 2017



U.S.P.T.O. FILING RECEIPT

1011 3rd Street, N.W.



FILED

IN THE CIRCUIT COURT OF CABELL COUNTY, WEST VIRGINIA

Jean Eddy, on Behalf of the
Estate of Paul Eddy

2017 MAY 17 AM 11:00

vs.

COPY
CIRCUIT CLERK
CABELL CO. WV

PLAINTIFF

CAUSE NO. 17-C-175
Jury Demanded

Canyon Sudar Partners LLC; SVCare
Holdings LLC; Sava Senior Care LLC;
SSC Equity Holdings LLC; SMV Management
Company LLC; SMV Huntington, LLC;
Seventeenth Street Associates, LLC;
Annica Stansberry; John Does 1 Through 10;
and Unidentified Entities 1 Through 10
(as to Huntington Health & Rehabilitation)

/s/PAUL T. FARRELL

DEFENDANTS

COMPLAINT FOR DECLARATORY AND OTHER RELIEF

Comes now the Plaintiff, Jean Eddy, on behalf of Paul Eddy, and for his claim for declaratory and other relief pursuant to Rule 57 of the West Virginia Rules of Civil Procedure and W. Va. Code § 55-13-1, et seq. against Defendants, states:

JURISDICTIONAL STATEMENT

1. Jean Eddy is the Executrix for the Estate of Paul Eddy and brings this action on behalf of the Estate of Paul Eddy.
2. Paul Eddy was, at all times material hereto, a resident of Huntington Health & Rehab, a skilled nursing facility located at 1720 Seventeenth Street, Huntington (Cabell County), West Virginia, from on or about December 11, 2016 through on or about January 10, 2017, and suffered personal injuries and damages while a resident there.
3. Separate Defendant Canyon Sudar Partners LLC ("CANYON") is a Delaware corporation with its principal place of business at One Ravinia Drive, Suite 1400, Atlanta, GA 30364. The agent for service for CANYON is The Corporation Trust Company, 1209 Orange Street, Wilmington, DE 19801. CANYON was, and remains, a

corporation engaged in the custodial care of elderly, helpless individuals who are chronically infirm, mentally impaired, and/or in need of nursing care and treatment at Huntington Health & Rehabilitation.

4. Separate Defendant SVCare Holdings LLC ("SVCARE") is a Delaware corporation with its principal place of business at One Ravinia Drive, Suite 1400, Atlanta, GA 30364. The agent for service for SVCARE is unknown. SVCARE was, and remains, a corporation engaged in the custodial care of elderly, helpless individuals who are chronically infirm, mentally impaired, and/or in need of nursing care and treatment at Huntington Health & Rehabilitation.

5. Separate Defendant Sava Senior Care LLC ("SAVA") is a Delaware corporation with its principal place of business at One Ravinia Drive, Suite 1400, Atlanta, GA 30364. The agent for service for SAVA is unknown. SAVA was, and remains, a corporation engaged in the custodial care of elderly, helpless individuals who are chronically infirm, mentally impaired, and/or in need of nursing care and treatment at Huntington Health & Rehabilitation.

6. Separate Defendant SSC Equity Holdings LLC ("SSC") is a Delaware corporation with its principal place of business at One Ravinia Drive, Suite 1400, Atlanta, GA 30364. The agent for service for SSC is unknown. SSC was, and remains, a corporation engaged in the custodial care of elderly, helpless individuals who are chronically infirm, mentally impaired, and/or in need of nursing care and treatment at Huntington Health & Rehabilitation.

7. Separate Defendant SMV Management Company LLC ("SMV") is a Delaware corporation with its principal place of business at 45 Broadway, Suite 930, New York,

NY 10006. The agent for service for SMV is unknown. SMV was, and remains, a corporation engaged in the custodial care of elderly, helpless individuals who are chronically infirm, mentally impaired, and/or in need of nursing care and treatment at Huntington Health & Rehabilitation.

8. Separate Defendant SMV Huntington, LLC ("SMV HUNTINGTON") is a Delaware corporation with its principal place of business at 45 Broadway, Suite 930, New York, NY 10006. The agent for service for SMV HUNTINGTON is Benjamin W. Dyer c/o SMV Management Company, LLC, at 45 Broadway, Suite 930, New York, NY 10006. SMV HUNTINGTON was, and remains, a corporation engaged in the custodial care of elderly, helpless individuals who are chronically infirm, mentally impaired, and/or in need of nursing care and treatment at Huntington Health & Rehabilitation.

9. Separate Defendant Seventeenth Street Associates, LLC ("SEVENTEENTH") is a West Virginia Limited Liability Company with its principal place of business at 1720 Seventeenth Street, Huntington, WV 25701-4235. The agent for service for SEVENTEENTH is CT Corporation System, 5400 D Big Tyler Rd., Charleston, WV 25313. SEVENTEENTH was, and remains, a corporation engaged in the custodial care of elderly, helpless individuals who are chronically infirm, mentally impaired, and/or in need of nursing care and treatment at Huntington Health & Rehabilitation.

10. Defendants' management of their nursing homes includes regularly approving reports submitted from the facilities including, labor reports, payroll reports, profit and loss statements, budget fluctuation analyses, and patient reports. The Board of

Directors for Defendants approved the budgets for the nursing homes and issues checks to vendors and employees of the facilities.

11. Defendants are and were directly responsible for training and patient care in each of its facilities nationwide. The training provided by Defendants for all employees involved in patient care, is and was to include training on policies, procedures and other requirements applicable to the documentation of medical records; the personal obligation of each individual involved in patient care, documentation, or reimbursement processes to ensure that such information provided is accurate and applicable statutes, regulations, program requirements and directives relevant to the person's duties.

12. Defendants control and approve the budget of all of their facilities, including Huntington Health & Rehabilitation through its Board of Directors.

13. Defendants through their Board of Directors and budgeting processes ultimately controlled the number of staff at the nursing home, as well as available supplies.

14. The majority of all nursing home contracts or admission agreements entered into between Defendants and residents of Defendants' facility were entered into in West Virginia.

15. Defendants were responsible for the daily operations of nursing homes including Huntington Health & Rehabilitation.

16. Defendants, through their clinical teams, were responsible for monitoring resident care at each facility, including the subject facility. If there was an issue with resident care, Defendants were responsible for correcting the problem.

17. Separate Defendant, Annica Stansberry, at all times material hereto is an

administrator of Huntington Health & Rehabilitation. Annica Stansberry is a resident citizen of the State of West Virginia. Defendant, Annica Stansberry, for all times material to this lawsuit conducted business in West Virginia and continues to do business in West Virginia. Defendant Annica Stansberry's, contacts with West Virginia are systematic and ongoing such that Defendant, Annica Stansberry, could reasonably expect to be haled into a West Virginia court.

18. Separate Defendants John Does 1 through 10 are individuals whom Plaintiff is currently unable to identify despite diligent efforts. Said Defendants are named insofar as they were involved in the ownership, operation or control of Huntington Health and Rehab and their acts and/or omissions were negligent and/or otherwise tortious with respect to the care and treatment of, or in the staffing, supervision, administration and direction of the care and treatment of Paul Eddy during his residency at Huntington Health & Rehabilitation.

19. Separate Defendants Unidentified Entities 1 through 10 are entities whom Plaintiff is currently unable to identify despite diligent efforts. Defendants are named insofar as they were involved in the ownership, operation or control of Huntington Health and Rehab and their acts and/or omissions were negligent and/or otherwise tortious with respect to the care and treatment of Paul Eddy during his residency at Huntington Health & Rehabilitation. Alternatively, Defendants are liable for the negligent and/or otherwise tortious acts and/or omissions of others with respect to the care and treatment of Paul Eddy during his residency at Huntington Health & Rehabilitation.

20. At all times material hereto, Defendants owned, operated, managed and/or

controlled, Huntington Health & Rehabilitation in Cabell County, West Virginia and are therefore directly liable for all the care provided at Huntington Health & Rehabilitation. The actions of each of Huntington Health & Rehabilitation's servants, agents and employees as set forth herein, are imputed to Canyon Sudar Partners LLC, SVCare Holdings LLC, Sava Senior Care LLC, SSC Equity Holdings LLC, SMV Management Company LLC, SMV Huntington LLC, Seventeenth Street Associates, LLC, John Does 1 through 10, and Unidentified Entities 1 through 10.

21. Whenever the term "Defendants" is utilized within this suit, such term collectively refers to and includes all named Defendants in this lawsuit.

22. Whenever the term "Nursing Home Defendants" is utilized within this suit, such term collectively refers to and includes Canyon Sudar Partners LLC, SVCare Holdings LLC, Sava Senior Care LLC, SSC Equity Holdings LLC, SMV Management Company LLC, SMV Huntington LLC, and Seventeenth Street Associates, LLC.

23. Whenever the term "Administrator Defendant" is utilized within this suit, such term refers to Annica Stansberry.

24. Separate Defendant Canyon Sudar Partners LLC, SVCare Holdings LLC, Sava Senior Care LLC, SSC Equity Holdings LLC, SMV Management Company LLC, SMV Huntington LLC, and Seventeenth Street Associates, LLC own, operate, manage, and/or control nursing homes throughout West Virginia including, but not limited to, Cabell County. All corporate Defendants have regular and continuous business in Cabell County. Defendants were, and remain, owners and/or managers of an institution, residence or place which is advertised, offered, maintained or operated for the express or implied purpose of providing accommodations and care, for a period of

more than twenty-four hours, for four or more persons who are ill or otherwise incapacitated and in need of extensive, ongoing nursing care due to physical or mental impairment or which provides services for the rehabilitation of persons who are convalescing from illness or incapacitation in Cabell County.

25. Jurisdiction of this Court is proper in the Cabell County Circuit Court in that the ultimate matter at issue and the amount in controversy, exclusive of interest and costs, far exceeds the minimum jurisdictional limits of this Court.

FACTUAL SUMMARY

26. In approximately December 11, 2016, Paul Eddy was admitted to Huntington Health & Rehabilitation, and he remained a resident of the nursing home until on or about January 10, 2017.

27. On or about the time of Paul Eddy's admission to Defendants' facility, Defendants required Paul Eddy and/or his family to complete admissions paperwork on his behalf.

28. Defendants were well aware of Paul Eddy's medical condition and the care that he required when they represented that they could adequately care for his needs during his residency at their facility. Defendants made affirmative representations to the family that the appropriate level of care would be provided when the Defendants knew, because of budgetary restrictions on staffing and supplies, that residents, including Paul Eddy, would not get the necessary care.

29. Defendants failed to discharge their obligations of care to Paul Eddy. As a consequence thereof, Paul Eddy suffered catastrophic injuries, disfigurement, extreme pain, suffering, and mental anguish. The scope and severity of the recurrent wrongs

inflicted upon Paul Eddy while under the care of the facility accelerated the deterioration of his health and physical condition beyond that caused by the normal aging process and resulted in physical and emotional trauma.

30. All of the injuries he suffered, as well as additional conduct, caused Paul Eddy to lose his personal dignity and extreme and unnecessary pain, degradation, anguish, otherwise unnecessary hospitalizations, disfigurement, and emotional trauma.

31. The wrongs complained of herein were of a continuing nature, and occurred throughout Paul Eddy's residency at Defendants' facility.

32. However, Plaintiff anticipates that Defendants will seek to enforce a purported arbitration agreement signed on behalf of Paul Eddy on or about the time of his admission to Defendants' facility.

CAUSE OF ACTION FOR DECLARATORY RELIEF

33. Plaintiff incorporates the allegations set forth above as if set forth fully herein.

34. Any arbitration agreement is unenforceable because of applicable state law contract defenses.

35. Plaintiff further asserts that any purported agreement is unenforceable because the arbitral forum is unavailable.

36. Additionally, Plaintiff asserts that any arbitration agreement was procured through fraud and should not be allowed to stand.

37. Finally, there was insufficient consideration for any purported agreement to arbitrate.

PRAYER FOR RELIEF

Pursuant to West Virginia Rules of Civil Procedure, Plaintiff is entitled to and

prays for a judgment:

1. Ordering and declaring that no valid agreement to arbitrate exists in this matter and that Plaintiff may bring an action against Defendants in the Circuit Court of Cabell County, West Virginia, for the alleged injuries suffered by Paul Eddy as a result of and during his residency at Defendants' facility.
2. Granting such other relief as the Court deems just and proper and to which Plaintiff is entitled by West Virginia law.

Respectfully submitted, this 13 day of March, 2017.

Jean Eddy, on behalf of the Estate of
Paul Eddy,

McHUGH FULLER LAW GROUP, PLLC

By:

James B. McHugh
West Virginia Bar Number 10350
Michael J. Fuller, Jr.
West Virginia Bar Number 10150
D. Bryant Chaffin
West Virginia Bar Number 11069
97 Elias Whiddon Rd.
Hattiesburg, MS 39402
Telephone: 601-261-2220
Facsimile: 601-261-2481

Attorneys for Plaintiff